THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION No.20407 of 2006

ORDER:

Heard the counsel.

The writ petition is filed to issue a Writ of Mandamus to set aside the Tom Tom Notice dated 04-09-2006 issued by the 1st respondent in not entering the petitioners in their lease lands in R.S.No.271/P & 272/P situated at Velapulanka, Kotipalli village, K.Gangavaram Mandal, East Godavari District by declaring the same as illegal, arbitrary and void and consequently direct the respondents herein to allow the petitioners in the aforesaid respective lease lands until dispossess them under due process of law.

The learned standing counsel for Gram Panchayat, Sri M.Prabhakara Rao states that at present the Gram Panchayat is not concerned with the controversy and the lands in question. The same is hereby recorded. In the light of the same, the Tom Tom Notice dated 04.09.2006 issued by the first respondent is hereby set aside. It is needless to say that the respondents cannot interfere with the rights of the petitioners in relation to the subject matter of the writ petition unless and until they follow due process of law.

Accordingly, the writ petition is allowed to the extent indicated above. No orders as to costs.

06.11.2006

cvrk

Note: Office to issue C.C. in two days.

B/o

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